

## **REMARKS**

After re-numbering by the Office, claims 1-38 are now pending, but subject to restriction. Of these, claims 1, 2, 21-24 and 32-38 are withdrawn from consideration. Claims 13-20 and 26 stand rejected. Claims 3-12, 25 and 27-31 are allowed. Applicants now have cancelled the withdrawn claims without prejudice or disclaimer. Claims 13, 25 and 26 have been amended. The specification has been amended. Reconsideration of the rejection is respectfully requested in view of these amendments and the following remarks.

Applicants appreciate the indication of allowed and allowable claims in the present patent application.

### **The Restriction Requirement**

The Action required that the claims be restricted, pursuant to 35 U.S.C. 121:

Claims 1-2 and 21-24 are drawn to a composite classified in class 501, subclass 91.

Claims 3-20 and 25-31 are drawn to an armor classified in class 89, subclass 36.01.

Claim 32-38 are drawn to a method of making a composite body classified in class 264, subclass 682.

During a telephone interview with the Examiner, applicants' representative elected without traverse to prosecute the invention of claims 3-20 and 25-31. Accordingly, claims 1, 2, 21-24 and 32-38 were withdrawn from consideration. Applicants now cancel the withdrawn claims from the present application, but reserve the right to pursue these claims in one or more Divisional applications.

### **The 35 U.S. C. §112 Rejection**

Claims 13-20 and 26 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite, but would be allowable if rewritten or amended to overcome this rejection. In particular, the Action asserted that use of the phrase "(600 denier)" rendered the claim indefinite because it allegedly is unclear whether the terms in parentheses are intended or not to be limiting to the claim language. Further, claims 13 and 26 contain the trademark/trade name "SpectraShield", and the Action stated that a trademark or trade name cannot be used as a limitation in a claim on the grounds that a trademark or trade name cannot be used to identify a particular material or product.

Applicants acknowledge that the legal function of a trademark is to identify the source or origin of goods or services. However, with specific regard to the trademark

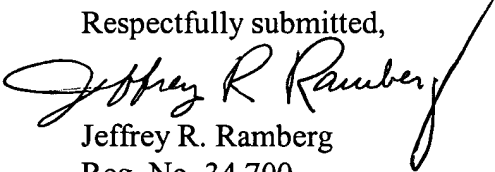
"SPECTRASHIELD", the website of mark owner Honeywell International Inc. shows that this mark refers to a class of extended chain polyethylene fibers in a thermoplastic resin matrix. Applicants attach the relevant pages from this website as an Appendix. Accordingly, applicants are amending the specification of the application as well as claim 13 and 26 to include this generic description. Applicants respectfully submit that this amendment introduces no new matter into the application because the attached documentation shows that this description is inherent to the material referred to as SPECTRASHIELD. Simultaneously, applicants are removing this mark from the claim.

Applicants respectfully submit that the amendments to claims 13 and 26 render the 35 U.S.C §112, second paragraph rejection moot.

Applicants are submitting a Supplemental Information Disclosure Statement with this response so that the references that were listed but possibly not supplied to the Office in the previous Information Disclosure Statement may be considered by the Examiner and made of record in the current proceedings.

Applicants respectfully submit that the present application meets the requirements for patentability. Accordingly, applicants respectfully request issuance of a Notice of Allowance directed to claims 3-20 and 25-31.

Should the Examiner deem that any further action on the part of applicants would be desirable, the Examiner is invited to telephone applicants' undersigned representative.

Respectfully submitted,  
  
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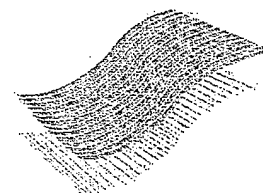
Encl. Appendix : Description of "SPECTASHIELD" from Honeywell website



## Spectra Shield® PCR

HIGH-PERFORMANCE BALLISTIC MATERIAL FOR HARD ARMOR APPLICATIONS

Honeywell's traditional hard armor product combines patented Spectra® fiber with Shield technology. Spectra Shield® PCR is a roll product consisting of two plies of unidirectional Spectra® extended-chain polyethylene fiber tapes cross-plied at 0°/90°, resulting in a nonwoven, thermoplastic composite.



2 fiber and resin plies, consolidated

### Applications:

- Rigid armor plates
- Breastplates
- Helmets
- Vehicle armor, including aircraft, limousines, ships and boats
- Architectural armor
- Blast-mitigating containers
- Riot shields

### Product Characteristics:

- Light weight
- Excellent protection against high-velocity rifle rounds
- Excellent protection from multiple hits and angle shots
- Exceptional fragmentation protection
- Exceptional backface deformation reduction
- High resistance to moisture and chemicals
- Design versatility for many hard armor applications
- Low dielectric constant makes it virtually radar transparent

Characteristics		
Roll Weight <sup>(1)</sup>	pounds	121
	kilograms	54.9
Width	inches	54 ± 0.5
	meters	1.37 ± 0.013
	testing method	ASTM D3774-89
Length (target)	yards	333
	meters	305
Thickness	inches	0.006 ± 0.002
	millimeters	0.15 ± 0.05
	testing method	ASTM D1777-64
Areal Density	oz/yd <sup>2</sup>	3.89 ± 0.29
	g/m <sup>2</sup>	132 ± 10
	testing method	ASTM D3776-85

<sup>(1)</sup> Weights are minimum since defects are compensated with extra yardage

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